

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 10/820,678)
Filed: April 8, 2004)
Art Unit: 3618)
Examiner: Gerald B. Klebe)
For: TAILGATE STEP)
Inventor: Dean A. Cervenka)
Atty. Ref: 1816/40915/Casc 2)

CERTIFICATION OF FACSIMILE TRANSMISSION
<small>I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office to fax number 1-571-273-8300 on.</small>
<u>September 14, 2005</u> Date
<u>Amy L. Mitchell</u> Amy L. Mitchell

RESPONSE TO OFFICE ACTION MAILED AUGUST 12, 2005

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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SEP 14 2005

Sir:

Responsive to the Office Action of August 12, 2005, Applicant elects Species II illustrated in Figures 9-14 without traverse. Claims 1-17 are generic. Claims 1-17, 21, 22, and 25 are directed toward Species II.

Claim 23 is directed toward species III and claim 24 is directed toward Species IV. Claims 23 and 24 depend from claim 21, therefore, if claim 21 is found to be allowable, claims 23 and 24 should be allowed. Thus, Applicant has not traversed the Examiner's finding of Species III and IV.

Applicant expressly reserves the right to file claims relating to the non-elected species in a divisional application.

This Response to the Office Action is being filed in connection with a Petition for Extension of Time, extending the date for responding to the Office Action to October 12, 2005.

Therefore, this Response is considered timely.

Should the Examiner have any questions regarding this Response, the Examiner is invited to contact the one of the undersigned attorneys at (312) 704-1890.

Respectfully submitted,

Date: 9/14/05

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